



Order Filed on December 6, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in compliance with D.N.J. LBR 9004-1(b)

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*Attorneys for Carrington Mortgage Services,
LLC as servicer for The Bank of New York
Mellon f/k/a The Bank of New York as trustee
for registered Holders of CWABS, Inc., Asset-
Backed Certificates, Series 2007-BC3*

In Re:

Orville Malcolm and Marcia Malcolm

Debtor.

Case No.: 16-22832-RG

Chapter: 13

AMENDED ORDER RESOLVING CREDITOR'S CERTIFICATION OF DEFAULT

The consent order set forth on the following pages, numbered two (2) through three (3), is hereby **ORDERED**.

DATED: December 6, 2021

A handwritten signature in cursive script, reading "Rosemary Gambardella".
Honorable Rosemary Gambardella
United States Bankruptcy Judge

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Debtor: Orville Malcolm and Marcia Malcolm

Case No: 16-22832-RG

Caption: Order Resolving Creditor's Certification of Default

Applicant:	<u>Carrington Mortgage Services, LLC ("Secured Creditor")</u>
Applicant's Counsel:	<u>Hill Wallack LLP</u>
Debtor's Counsel:	<u>Melinda D. Middlebrooks, Esq.</u>
Property Involved ("Collateral"):	<u>1978 Hillside Avenue, Union, NJ 07083</u>

Relief sought:

- ✓ Motion for relief from the automatic stay (Certification of Debtors' Default)
- Motion to dismiss
- Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor was overdue for three (3) monthly payments, from May 1, 2021 to July 1, 2021 in the amount of \$1,754.38 each, as of the filing of the Certification of Debtors' Default on July 12, 2021.
- The debtor has since become due for two (2) more additional monthly payments from August 1, 2021 to September 1, 2021 in the amount of \$1,754.38.
- Accordingly, Debtors' total arrearages due are \$8,771.90.

2. Debtor must cure all post-petition arrearages, as follows:

- Debtor has made payments to cure the default through and including the September 1, 2021 payment.
- Beginning on October 1, 2021, regular monthly mortgage payments shall continue to be made in the amount \$1,754.38, subject to adjustment on Notice to the parties.

3. Payments to the Secured Creditor shall be made to the following address(es):

Carrington Mortgage Services, LLC
P.O. Box 3730
Anaheim, CA 92806

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Debtor: Orville Malcolm and Marcia Malcolm

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In the event of Default:

If the Debtor fails to maintain any regular monthly payment when due, then the Secured Creditor shall be awarded Stay Relief as to the Collateral by filing, with the Bankruptcy Court, a Certification of Default specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

4. Award of Attorneys' Fees:

- ✓ The Applicant is awarded attorney fees of **\$200.00**. The fees are payable outside the Chapter 13 plan and shall be tendered to the Secured Creditor by the Debtors on or before **December 31, 2021**.